

UNITED STATES BANKRUPTCY COURT FOR THE
EASTERN DISTRICT OF NEW YORK

In re

LBC BUILDING CORP., INC.
D/b/a LBC BUILDING CORP

Debtor

Case No. 08-41946-dem

CHAPTER 11

JUDGE MILTON

**OBJECTION TO ORDER (i)
APPROVING SALE BY DEBTOR
OF 1987 PAMELA COURT, TOMS
RIVER, NEW JERSEY, TO
COUNTY LINE CONSTRUCTION
INC., FREE AND CLEAR OF ALL
LIENS, CLAIMS, ENCUMBRANCES
AND INTERESTS PURSUANT TO
11 U.S.C. SECTION 363 AND (ii)
GRANTING RELATED RELIEF**

David J. Doyaga, Sr., of Doyaga & Schaefer, an attorney duly admitted to practice law in the State of New York does hereby affirm under penalty of perjury as follows:

1. I am the attorney for Amboy Bank f/k/a Amboy National Bank (the "Amboy Bank") and am fully familiar with all the facts and circumstances herein. I make this affirmation in limited objection to the Debtor's Proposed Order (i) Approving Sale by Debtor of 1987 Pamela Court, Toms River, New Jersey, to County Line Construction Inc., Free and Clear of all Liens, Claims, Encumbrances and Interests Pursuant to 11 U.S.C. Section 363 and (ii) granting related relief.

2. I apologize to the Court and Debtor's Counsel that these issues were not worked out earlier, but there was little time to review the Order and attempts between the undersigned and Debtor's counsel to work out these objections reached an impasse late this afternoon.

Amboy objects to the proposed Order in its present form on three grounds.

- A. Amboy will not grant an extension on its reduced payoff beyond October 10, 2008, and therefore, the Order should contain a provision that if Amboy is not paid by October 10, 2008, the sale is cancelled.
- B. Second, Amboy would require mutual releases, so that the Debtor and the guarantors also release Amboy. A provision to this effect should be added to paragraph 4.

C. Third, Amboy Bank insists on receipt of the \$325,000 before it will issue the mortgage discharge and the releases.

3. If the Court would add these provisions, Amboy would have no objections to the Order.

Dated: Brooklyn, New York
October 2, 2008

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